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7 Attorney For Defendant Sanford Wallace

FILED

JUL 18 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 UNITED STATES OF AMERICA, CASE NO. CR 11-00456 EJD
11 Plaintiff, MOTION TO WITHDRAW AS
12 VS. COUNSEL OF RECORD
13 SANFORD WALLACE,
14 Defendant DATE: JULY 21, 2014
15 TIME: 9:00 A.M.
COURTROOM: 4
JUDGE: HON. EDWARD J. DAVILA

17 /
18 WILLIAM W. BURNS, ESQ., hereby gives NOTICE of his Motion to
19 withdraw as Counsel of Record for Sanford Wallace, Defendant. This Motion is based
20 upon this Notice and the Declaration of William W. Burns, ESQ. in Support of Motion
21 To Withdraw As Counsel Of Record.

22 Dated: July 17, 2014

1 **DECLARATION OF WILLIAM W. BURNS, ESQ.**

2 **IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL OF RECORD**

3 I, WILLIAM W. BURNS, ESQ., herby declare:

4 1. That I am an Attorney committed to practice before all of the Courts
5 of the State of California and the United States District Courts of Northern California;

6 2. That I entered into a Retainer Agreement with Defendant Sanford Wallace
7 to defend him in the instant Case. That Mr. Wallace has failed to comply with the
8 requirement of our Retainer Agreement., and that despite reminders by the Office, he
9 continues to be in the breach of the Retainer Agreement.

10 3. That the failure of Mr. Wallace to perform according to the terms of the
11 Retainer Agreement has made it extremely difficult to represent him in this Case;

12 4. This Office has not been able to communicate with Mr. Wallace. Our
13 telephone calls and letters requesting a meeting to discuss the Case have gone
14 unanswered. Mr. Wallace has disconnected the two (2) contact numbers he gave
15 to this Office;

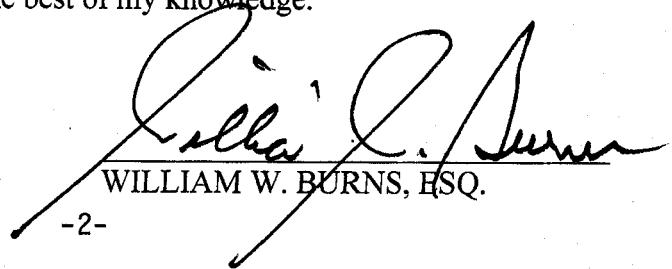
16 5. I was retained in accordance with the laws of the State of California.

17 A copy of this ***MOTION TO WITHDRAW*** has been sent to Mr. Wallace in
18 accordance with ***California Rule of Court 3.162*** entitled Motion To Be Relieved as
19 Counsel.

20 6. By this Motion, I ask the Court to allow me to withdraw from representation
21 of Defendant Sanford Wallace.

22 I declare under penalty of perjury under the laws of the State of California that
23 the foregoing is true and correct to the best of my knowledge.

24 Dated: July 17, 2014

25 
WILLIAM W. BURNS, ESQ.

26 MOTION TO WITHDRAW

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6 ORDER
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8 Accordingly, for good cause shown, this Court **HEREBY ORDERS** that
9 **WILLIAM W. BURNS, ESQ.**, be allowed to withdrawn as Counsel of Record for
10 Defendant Sanford Wallace.

11 SO ORDERED:

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13 DATED:

14 HON. EDWARD J. DAVILA
15 United States District Judge
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28 *MOTION TO WITHDRAW*

PROOF OF SERVICE

**CASE NAME: UNITED STATES VS. SANFORD WALLACE
CASE NO. CR 11-00456 EJD**

I am a citizen of the United States. My address is 15720 Winchester Blvd, Suite 201 California. I am over the age of 18 years, and am not a party to the within action. On the date set forth below, I served the forgoing document(s) described as follows:

MOTION TO WITHDRAW AS COUNSEL OF RECORD

The person served in Henderson, Nevada was:

**SANFORD WALLACE
519 INNESS AVENUE
HENDERSON, NEVADA 89011**

- [X] **(BY MAIL)** I am readily familiar with the practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit: that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I sealed said envelope and placed it for collection and mailing on the date signed below following ordinary business practices. [CERTIFICATE OF MAILING]
- [] **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this date to the persons listed above.
- [] **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- [X] **(FEDERAL)** I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury that the forgoing is true and correct.
- [] **FACSIMILE**

Executed on JULY 17, 2014 at Los Gatos, California


Ann Purpus
ANN PURPURUS

PROOF OF SERVICE

**CASE NAME: UNITED STATES VS. SANFORD WALLACE
CASE NO. CR 11-00456 EJD**

I am a citizen of the United States. My address is 15720 Winchester Blvd, Suite 201 California. I am over the age of 18 years, and am not a party to the within action. On the date set forth below, I served the forgoing document(s) described as follows:

MOTION TO WITHDRAW AS COUNSEL OF RECORD

The person served in the City of San Jose, Santa Clara County, California:

SUSAN KNIGHT, ESQ.
ASSISTANT UNITED STATES ATTORNEY
UNITED STATES ATTORNEY'S OFFICE
150 ALMADEN BLVD., SUITE 900
SAN JOSE, CALIFORNIA 95113

- (BY MAIL)** I am readily familiar with the practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit: that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I sealed said envelope and placed it for collection and mailing on the date signed below following ordinary business practices.
- (BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this date to the persons listed above.
- (STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- (FEDERAL)** I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury that the forgoing is true and correct.
- FACSIMILE**

Executed on JULY 17, 2014 at Los Gatos, California



ANN PURPURUS